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**Attorneys for Defendant County of Santa Cruz
 Housing Authority**

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CLARE F. NELSON, Plaintiff, v. BARBARA WOODFORD; SANTA CRUZ COUNTY HOUSING AUTHORITY, Defendants.	Case No. CV 06-06485 JF DEFENDANT SANTA CRUZ COUNTY HOUSING AUTHORITY'S SEPARATE CASE MANAGEMENT CONFERENCE STATEMENT Date: April 11, 2008 Time: 10:30 a.m. Dept: 3 (Hon. Jeremy Fogel)
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Defendant Santa Cruz County Housing Authority has attempted to contact plaintiff on several occasions, without success (plaintiff has no operating answering machine). Accordingly, defendant submits the following separate case management conference statement.

DESCRIPTION OF THE CASE

1. A Brief Description Of The Events Underlying The Action: Plaintiff rented a unit from defendant Barbara Woodford. Plaintiff alleges that defendant Santa Cruz County Housing Authority inspected the unit and approved it for rental. Plaintiff alleges that her relationship with Ms. Woodford and Ms. Woodford's brother began to deteriorate, and that she ultimately went to the

1 County Planning Department and discovered that the unit she inhabited was illegal in some respect
2 (most likely due to building or zoning code violations). A Code Compliance Officer thereafter “red-
3 tagged” the unit, and Ms. Woodford evicted plaintiff.

4 2. The Principal Factual Issues Which The Parties Dispute:

5 The complaint contains limited allegations against the Housing Authority. Accordingly, at
6 this time defendant can state only that it disputes all factual issues that would impute it with liability
7 for wrongdoing or alleged illegal conduct.

8 3. The Principal Legal Issues Which The Parties Dispute:

9 Plaintiff’s complaint does not clearly state a legal theory against the Housing Authority, but
10 it appears that she is asserting that defendant negligently inspected or approved the unit she
11 inhabited and that it should therefore be liable for damages in some respect. Defendant disputes that
12 it can be liable for a negligent inspection, and disputes all legal issues that would impute it with
13 liability for wrongdoing or alleged illegal conduct. A motion to dismiss is on calendar for May 2,
14 2008

15 4. Other Factual Issues Which Remain Unresolved: Defendant does not know of any
16 unresolved factual issues that can be brought before the Court for resolution at this time.

17 5. The Parties Who Have Not Been Served And The Reasons: Defendant Housing
18 Authority has waived formal service. Status of service as to defendant Barbara Woodford is
19 unknown.

20 6. Additional Joinder Of Parties: Defendant Housing Authority does not expect to add
21 any parties to this lawsuit.

22 7. Consent To Assignment To A United States Magistrate Judge: This case has been
23 assigned to this Court and defendant respectfully requests that it remain with this Court.

24 **ALTERNATIVE DISPUTE RESOLUTION**

25 8. Stipulation: Given the status of the pleadings, defendant’s position is that it is too
26 early to discuss ADR.

27 9. Other Information: None.
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DISCLOSURES

10. The Parties Certify That They Have Made The Following Disclosures: Defendant Housing Authority just recently waived service and filed a motion to dismiss. The parties have yet to make their initial disclosures under Federal Rule of Civil Procedure 26.

DISCOVERY AND TRIAL SCHEDULE

11. Defendant Housing Authority respectfully requests that the Court wait until the pleadings issues are resolved before setting a discovery and trial schedule.

Dated: March 27, 2008

DANA McRAE, COUNTY COUNSEL

By: /S/ JASON M. HEATH
JASON M. HEATH
Assistant County Counsel
Attorneys for Defendant Santa Cruz County
Housing Authority

PROOF OF SERVICE

I, the undersigned, state that I am a citizen of the United States and employed in the County of Santa Cruz, State of California. I am over the age of 18 years and not a party to the within action. My business address is 701 Ocean Street, Room 505, Santa Cruz, California 95060. On the date set out below, I served a true copy of the following on the person(s)/entity(ies) listed below:

**DEFENDANT SANTA CRUZ COUNTY HOUSING AUTHORITY'S SEPARATE
CASE MANAGEMENT CONFERENCE STATEMENT**

by **service by mail** by placing said copy enclosed in a sealed envelope and depositing the sealed envelope with the United States Postal Service with the postage fully prepaid.

X by **service by mail** by placing said copy enclosed in a sealed envelope and placing the envelope for collection and mailing on the date and at the place shown below following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service with postage fully prepaid.

by **express or overnight mail** by depositing a copy in a post office, mailbox, sub-post office, substation, mail chute, or other like facility regularly maintained by the United States Postal Service for receipt of express mail or a mailbox, mail chute, or other like facility regularly maintained by an overnight mail company, in a sealed envelope, with express mail postage paid addressed to the below listed person(s).

by **express or overnight mail** by arranging for pick-up by an employee of an express/overnight mail company on:

by **facsimile service** at the number listed below and have confirmation that it was received by:

**Clare Nelson
3318 Marion Street
Denver, CO 80205**

**Clare Nelson
1350 Irving Street, #235
Denver, CO 80204**

I declare under penalty of perjury that the foregoing is true and correct. Executed March 27, 2008, at Santa Cruz, California.

/S/ MARIA VARGAS
MARIA VARGAS